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J1050 U.S. PTO

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Attorney Docket No.: PATENT
AIC-00902

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JC971 U.S. PTO
09/882912
06/15/01

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

Anticipated Classification of this Application:
Class: _____ Subclass: _____
Prior Application: 09/140,164
Examiner: Snay, J.
Art Unit: 1743

TRANSMITTAL OF FILING UNDER 37 C.F.R. § 1.53(b)

Sir:

This is a request for filing a Continuation application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/140,164 filed on August 26, 1998, of Robert Malcolm Watson, Jr., Haseeb R. Chaudhry, and James S. Lee for **BIOCHIP DETECTION SYSTEM**

CERTIFICATION UNDER 37 § 1.10

I hereby certify that this new application and the document referred to as enclosed herein are being deposited with the United States Postal Service on this date June 15, 2001, in an envelope bearing "Express Mail Post Office to Addressee" Mailing Label Number EL703161315US addressed to: **BOX PATENT APPLICATION**, Assistant Commissioner for Patents, Washington, D.C. 20231.

Tadas Narauskas
(Name of Person Mailing Paper)

Tadas Narauskas
Signature

1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed. The copy of the papers of prior application as filed which are attached are as follows: 15 page(s) of specification; 7 page(s) of claims; 1 page(s) of abstract; 6 sheet(s) of drawings; 1 page(s) of declaration, 2 page(s) of power of attorney by assignee, 1 page(s) of Form PTO-1595, and 1 page(s) of assignment.

2. Amendments

- ☒ Cancel in this application original claims 1-19 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
- ☒ A preliminary amendment is enclosed, including changes to the specification, claims, remarks, and 6 sheets of formal drawings as substitute sheets for the informal drawings submitted in the patent application.

3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS FILED				Basic Fee (37 C.F.R. § 1.16(a))
	Number Filed	Number Extra	Rate	
				710.00
Total Claims (37 C.F.R. § 1.16(c))	28 - 20 =	8	\$18.00	144.00
Independent Claims (37 C.F.R. § 1.16(b))	2 - 3 =	0	\$80.00	0.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$260.00	0.00
			Filing Fee Calculation	854.00
			Filing Fee Calculation (50% of above)	427.00

Other Fees

X Assignment Recordation Fee 40.00

4. Drawings

6 Sheets of drawings are enclosed.

X Formal.

5. Relate Back-35 U.S.C. § 120

X The specification has been amended by inserting before the first line the sentence:

--This application is a continuation of co-pending U.S. Patent Application
Serial Number 09/140,165 filed on August 26, 1998.

6. Inventorship Statement

(a) With respect to the prior co-pending U.S. application from which this application claims benefit under 35 U.S.C. § 120 the inventor(s) in this application is (are):

X the same.

(b) The inventorship for all the claims in this application is:

X the same.

7. Fee Payment Being Made At This Time

X Enclosed.

Total Fees Enclosed \$467.00

8. Method of Payment of Fees

X Enclosed is a check in the amount of \$ 467.00 (\$427.00 for the filing fee plus \$40.00 for the Assignment Recordation Fee.)

9. Authorization To Charge Additional Fees

X The Commissioner is hereby authorized to charge any fees or credit any overpayment during the pendency of this application to Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

10. Power of Attorney

X The power of attorney in the prior application is to: HAVERSTOCK & OWENS LLP, 260 Sheridan Avenue, Suite 420, Palo Alto, CA 94306.

a. X The power appears in the original papers as filed on August 26, 1998. A copy is attached.

b. X Address all future communications to:
HAVERSTOCK & OWENS LLP
ATTN: Thomas B. Haverstock
260 Sheridan Avenue, Suite 420
Palo Alto, CA 94306

11. Maintenance of Codependency of Prior Application

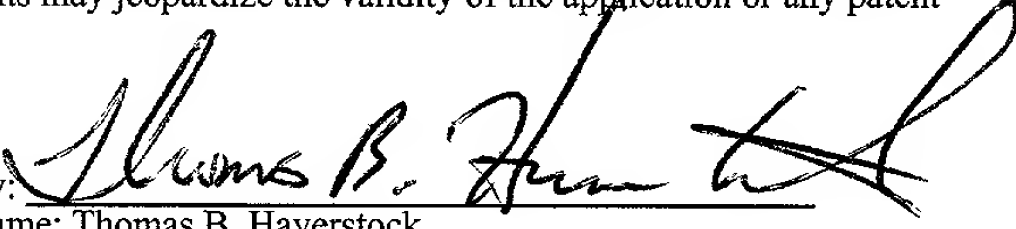
X This application is a continuation of co-pending Serial No. 09/140,164 filed on August 26, 1998.

12. X Incorporation by Reference

The entire disclosure of the prior application(s), from which a copy of the oath of declaration is supplied under Box 1, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 6-15-9

By: 
Name: Thomas B. Haverstock
Registration No.: 32,571